

ADDITIONS AND AMENDMENTS
TO THE
BY-LAWS
OF THE
HARBOUR COMMISSIONERS
OF
MONTREAL.

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Montreal _____

PARSED, 11th JULY, 1861.
SANCTIONED, 12th SEPTEMBER, 1861.

Montreal :
PRINTED BY JAMES STARKE & CO.

1861.

Met. Harbor Commissioners.

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Article 63.—There shall be a Watch consisting of one ^{Watch to be kept on board vessels in Harbour.} or more grown persons, kept and maintained from sunset to sunrise on board of every vessel lying in the said Harbour; and such watch shall instantly give the alarm in the event of any danger, accident, disturbance, or fire on board of such vessels, or on board of any other vessel in the said Harbour, as soon as perceived; and shall at all hours and times during the said period, respond to the call, hail or enquiry of any officer of the Harbour Commissioners, or of any of the officers or men of the water police.—And in the absence of other sufficient evidence of the violation of this By-law if no answer be made by the watch on any vessel to such call, hail or enquiry after three audible repetitions of the same, such vessel and the master or person in charge thereof shall be conclusively held to have violated this by-law.

Article 64.—Every vessel lying in the said Harbour ^{Precautions against fire.} shall be supplied during the whole period between sunset and sunrise with not less than six buckets filled with water, which shall be placed and shall stand during the whole of the said period at some convenient place upon the deck of such vessel, ready for instant use in case of fire.

Regulations for vessels
carrying hay or straw.

Article 65.—There shall be no fire or light of any kind used between sunset and sunrise on board of any vessel loaded with hay or straw while within the said Harbour, and no steamer shall carry as freight, any hay or straw whatsoever, unless the same be pressed into bundles, which shall weigh not less than seven and a half pounds weight per cubic foot; and such bundles shall be kept completely and constantly covered with tarpaulin or oil cloth.

Encroachment upon
any property within
the Harbour jurisdic-
tion prohibited.

Article 66.—No person or persons, without the consent of the said Commissioners, shall encroach, enter upon, take possession of, or use any part or portion of the Harbour of Montreal, or of any part or portion of the immoveable property, lands or beach, the control and management whereof are vested in the Harbour Commissioners of Montreal, in and by the several Statutes of this Province incorporating the said Commissioners and relating to the Harbour of Montreal; namely, the tract of land, beach, and premises described and known as follows, to wit, "commencing at the mouth of the Little River St. Pierre; thence, downwards, following the course of the Bank of the River St. Lawrence, and including the beach of the said River as far back as high water-mark, and the ground above high water-mark reserved for a public road or path, down to the lower extremity of the lower basin of the Lachine Canal; thence downwards, following the North-west side of the water course running parallel with and adjoining the revetment wall in the street or highway running along the whole line of the wharves, now known as Commissioners Street, to a point where the said wall joins the Government Works at the Commissariat Store and the Government wharf; thence downwards, following the course of the bank of the River St. Lawrence, and including the beach of the said River as far back as high water-mark, and any ground above high water-mark reserved for a public road or path, as far as Ruisseau Migeon." And if at any time, any person or per-

sons be found encroaching upon or in possession of any part or portion of the said Harbour, land, beach, or premises, the said Commissioners shall have the right to give a notice in writing to such person or persons, under the hand of the Secretary of the said Commission, notifying and requiring him or them to desist from such encroachment, and to leave such portion of said Harbour, land, beach, or premises, within such period, not less than forty-eight hours thereafter, as shall be fixed in such notice. And any person or persons who shall so encroach, enter upon, take possession of, or use any part or portion of such Harbour, land, beach, or premises, without the consent of the said Commissioners, shall, and each of such person or persons shall incur a penalty of Forty Dollars currency for every such violation of this By-law; and a further like penalty of forty dollars currency for every period of twenty-four hours during which such encroachment, entrance upon, possession, or use, shall continue or be persisted in. And any person or persons so found encroaching upon, or in possession of any part or portion of such Harbour, land, beach, or premises, who shall persist in so encroaching upon, or in retaining possession of the same, after the expiration of the delay within which such person or persons is or are required by such notice to desist from such encroachment, and to relinquish and abandon such possession of such part or portion of such Harbour, land, beach or premises, shall, and each of them shall incur a penalty of Forty dollars currency for every period of twenty-four hours during which such encroachment or possession shall continue after the expiration of such delay.

Article 67.—No person shall erect or place any shed, shanty, boat-house, or moveable or other building of any kind or nature whatsoever, in or upon any place within the boundaries of the said Harbour, without the express permission in writing of the Harbour Master being first ob-

No moveable buildings
to be erected without
authority.

tained; and if any such building be so erected or placed within such boundaries without such permission, it shall be lawful for the Harbour Master to remove such building at the expense of the person or persons who erected the same, who shall be liable for such expense in addition to the penalty imposed upon him or them for the infringement of this By-law; and to act in respect of the materials so removed, in the manner and subject to all the conditions and provisions established by Article number thirty-three of the By-laws of the said Commissioners.

Rules to be observed
by persons in charge
of horses or vehicles.

Article 68.—No driver or person in charge of any horse or horses, or of any vehicle drawn by any horse or horses shall allow such horse, horses, or vehicle to stand in the water-course or gutter running along the side of Commissioners Street or of Common Street, parallel with and adjoining the revetment wall, nor upon any wharf, ramp or pier in the said Harbour; except for the accommodation of persons going on board of or landing from vessels in the said Harbour, and then only under the restrictions contained in Articles 50, 51, and 52 of the By-laws of the said Harbour; nor shall any such driver or person in charge, feed his horse or horses, or cause or suffer his horse or horses to be fed within the limits of the said Harbour.

Power to dispense with
certain wharf dues at
discretion of the Com-
missioners.

Article 69.—The landing rates, and shipping or outward rates on goods landed, shipped or deposited in the said Harbour, or transhipped therein, shall be the same, namely: shall be the several and respective rates and dues mentioned in the several Schedules appended to the Act passed in the 18th year of Her Majesty's Reign, and chaptered 143, entitled "An Act to provide for the management and improvement of the Harbour of Montreal, and the deepening of the Ship Channel between the said Harbour and the Port of Quebec, and to repeal the Act now in force for the said purposes." But upon proof being made to the satis-

faction of the said Commissioners, that the outward or inward bound cargo of any vessel cannot be taken to or from such vessel without being conveyed in a barge or lighter, it shall be lawful for the said Commissioners in their discretion to dispense with the payment either of the landing or of the shipping rate upon such goods, as the case may be ; in such manner that such goods or cargo shall only be liable for the payment of one rate.

Article 70.—The Wharfinger shall have power, on behalf of the said Harbour Commissioners, and under their directions, to allot, let, or lease any space or portion of any of the wharves, piers, or vacant ground, in the said Harbour for the piling thereon of Firewood or other Lumber, or of other articles or effects, subject to such rate of charges and for such time or times, as may from time to time be fixed by the Harbour Commissioners ; and such allotment or letting shall be evidenced only by a written permit, signed by the Wharfinger ; and if such Wood or other articles be allowed to remain on such lot or lots after the expiration of the time denoted in such permit, without a renewal of the same at the Wharfinger's office, such wood or other articles shall be liable to be removed by the Harbour Master, in the manner provided by Article No. 33 of these By-laws, and without any notice being given, either verbally or in writing, by the Harbour Master, to the party owning or representing the same.

Lots may be leased for piling firewood or other articles.

Article 71.—No person shall pile any Firewood or cause or suffer any Firewood to be piled within the limits of the said Harbour, to a height exceeding four feet of French measure, without permission in writing from the Wharfinger ; nor to any height exceeding the height mentioned in such permission ; either upon any space or portion of ground allotted or leased under the last preceding Article (No. 70) of these By-laws, or elsewhere ; and if any Firewood shall

Restrictions as to the piling of firewood.

be piled to a greater height than the said height, the person or persons piling the same or causing the same to be so piled, shall be severally liable to a penalty of Twenty Dollars currency, for which penalty the whole of the Firewood in the pile so raised beyond the aforesaid limits, shall be liable, as well as any other assets or property of the convicted person; and the Harbour Master shall have the right, without any notice whatsoever to the owner thereof or to any other person whomsoever, to remove the excess in height of such Firewood at the expense of the owner thereof; and to act in respect thereof in the manner, and subject to all the conditions and provisions established by Article number thirty-three of the By-laws of the said Commissioners.

All permits to be exhibited on demand of any Harbour Officer.

Article 72.—In every case where any person is acting under a permission in writing from any Officer of the said Harbour, or from any Official authorized by the By-laws of the said Harbour to grant such permission; such person upon the first demand of the Wharfinger, or of the Harbour Master, or of any other Official employed about the said Harbour by the said Commissioners, shall exhibit to the Wharfinger, Harbour Master or other Official making such demand, the writing containing such permission.

All vessels to report at the Wharfinger's office.

Article 73.—In addition to the details which by the 7th Article of the By-laws of the said Commissioners, the master or person in charge of every vessel arriving in the Harbour, is bound to insert in the report by him required to be made under the said By-law, every such master or person in charge of any such vessel shall also insert in such report a description of the rig of such vessel, the name of such vessel, and of her master or captain, the place from whence and the date when such vessel sailed, the name of the consignee thereof, and of the pilot thereof; the number of men employed therein, the number of passengers carried thereby,

and the name of the steamer (if any) which towed such vessel into harbour.

Article 74.—All vessels lying at the wharves within the Harbour, shall have their yards topped up, their booms and outriggers rigged in, their jibbooms and flying jibbooms rigged in as far as practicable, their studding sail boom irons taken off, their sprit sail yards laid fore and aft, and their anchors secured so as to avoid doing damage to other vessels.

Vessels to avoid damaging other vessels.

Article 75.—No coals shall be discharged from any vessel except upon such wharf as shall be indicated for that purpose by the Harbour Master, and when discharged, such coals shall be immediately removed and taken away from such wharf by the owner or consignee thereof as fast as they shall be landed thereon. And no appointment of a berth, or permission to land the cargo of any vessel at any wharf, shall entitle the owner or person in charge of such vessel to land coals opposite such berth or upon such wharf, unless permission shall also have been granted by the Harbour Master to land also thereon as hereinbefore provided.

Coals to be landed only where permitted by Harbour Master.

Article 76.—Every person, in whatsoever capacity he may be acting, who shall violate or infringe any of the By-laws of the Corporation of the Harbour Commissioners of Montreal, or any part or portion of any one of them, shall be subject to a penalty of Forty Dollars currency.

Fines and Penalties.

Article 77.—Every person, in whatsoever capacity he may be acting, who shall fail or neglect to obey any one of the By-laws of the Corporation of the Harbour Commissioners of Montreal, or any portion of any one of them, shall be subject to a penalty of Forty Dollars currency.

Fines and Penalties.

Article 78.—The Master or person in charge of any vessel which shall violate or infringe, or fail or neglect to

Fines and Penalties.

obey any one of the By-laws of the Corporation of the Harbour Commissioners of Montreal, or any part or portion of any one of them; and the Master or person in charge of any vessel, in the conduct and management of which any one of the said By-laws, or any part of any one of them, shall be violated, infringed or disobeyed, shall be subject to a penalty of Forty Dollars currency.

Fines and Penalties.

Article 79.—In the event of the contravention or neglect to obey any of the By-laws of the Corporation of the Harbour Commissioners of Montreal, having reference to the landing or shipping of gunpowder, the landing or shipping, as the case may be, of each keg or package of gunpowder, shall be a separate offence, and shall give rise to a separate penalty of Forty Dollars against the offending party.

Fines and Penalties.

Article 80.—The owner of any cargo, lumber or effects or of any matter or thing whatever, landed from any vessel, in respect of which cargo, lumber or effects, matter or thing, there shall be any violation or infringement of, or disobedience to any one of the By-laws of the Corporation of the Harbour Commissioners of Montreal, or of any part of any one of them; shall be subject to a penalty of Forty Dollars currency.

Fines and Penalties.

Article 81.—The owner or person in charge of any goods, lumber or other effects, deposited for shipment on any wharf, or elsewhere in the said Harbour; in respect of which goods, lumber or effects, there shall be any violation or infringement of, or disobedience to, any one of the By-laws of the Corporation of the Harbour Commissioners of Montreal, or of or to any part of any one of them, shall be subject to a penalty of Forty Dollars.

Penalty may be reduced to Twenty Dollars, excepting on sea-going vessels and their cargoes.

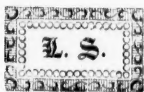
Article 82.—If any person be convicted by any Magistrate or Magistrates, Justice or Justices of the peace of any of the said offences, such Magistrate or Magistrates, Justice

or Justices of the Peace, who shall render such judgment of conviction, may reduce the amount of the penalty to Twenty Dollars currency, in all cases where the offence committed has no reference to a sea-going vessel, or to cargo carried or to be carried in a sea-going vessel, or is not committed by the Master or person in charge of a sea-going vessel.

Article 83.—The By-laws numbered 21, 46, 54, 55, 56, 57, 58 and 59, forming part of the By-laws made and passed by the said Harbour Commissioners of Montreal, on the 21st day of April, 1859; and all such portions of By-laws numbers 39 and 40, and of any other of the said By-laws as are inconsistent with the foregoing By-laws, are hereby revoked and repealed.

I hereby certify, that the foregoing Amendments to the By-Laws of the Harbour Commissioners of Montreal, numbered from 63 to 83 inclusive, are true copies of said Amendments, duly made and passed at a Meeting of the said Corporation, held at Montreal, on the 11th day of July, 1861, and sanctioned and confirmed by His Excellency Sir Edmund Walker Head, Governor General of British North America, &c., &c., &c., on the 12th day of September, 1861, and published in "*The Canada Gazette*, published by authority," on the 28th day of September, 1861.

IN WITNESS WHEREOF, I have signed this Certificate, and appended the Seal of the said Corporation hereto, this 30th day of September, 1861.



ALEX. CLERK,
Secretary

To the Harbour Commissioners of Montreal.